

REMARKS

Favorable reconsideration of the application is respectfully requested in light of the amendments and remarks herein.

Upon entry of this amendment, claims 1-21 will be pending. By this amendment claims 1, 12, and 15 have been amended. No new matter has been added.

§112 Rejection of Claims 1, 12, and 15

In Section 7 of the Office Action, the Examiner has rejected claims 1, 12, and 15 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Claims 1, 12, and 15 have been amended.

Accordingly, it is submitted that the Examiner's rejection of claims 1, 12, and 15 based upon 35 U.S.C. §112 has been overcome by the present remarks and withdrawal thereof is respectfully requested.

§112 Rejection of Claims 1, 12, and 15

In Section 8 of the Office Action, the Examiner has rejected claims 1, 12, and 15 under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. Claims 1, 12, and 15 have been amended.

Accordingly, it is submitted that the Examiner's rejection of claims 1, 12, and 15 based upon 35 U.S.C. §112 has been overcome by the present remarks and withdrawal thereof is respectfully requested.

§103 Rejection of Claims 1-18, 20, and 21

In Section 10 of the Office Action, the Examiner has rejected claims 1-18, 20, and 21 under 35 U.S.C. §103(a) as being unpatentable over Vaudreuil (U.S. Patent No. 5,740,230) in view of Thorne *et al.* (U.S. Patent No. 5,740,230; hereinafter referred to as “Thorne”). Claims 1, 12, and 15 have been amended to address the rejection.

In the Background section of the Specification, it was disclosed that “[i]n view of the above-captioned prior art it is the object of the present invention to provide for a technique capable of unified (multimedia) instant messaging. [In] other words, the invention should provide a technique for the nearly real-time transfer of multimedia messages and a processing of these messages through a flexible distributed system.” *Background of the Specification, page 2, lines 9-13.*

To address the above-described objective, embodiments of the present invention provide a capability to transmit messages over a multimedia network from a sending client to a target client. For example, the structure of system claim 1, as presented herein, includes:

- “- *a plurality of message gateways*, each message gateway being configured to receive and transmit over at least one dedicated transfer medium, and
- *a message broker (1)* connected to the message gateways and being provided with a client database (2),

wherein a first message gateway receives a message from a sending client over a first transfer medium and transmits the message and/or an information extracted thereof to the message broker (1), the message broker (1) automatically selects an appropriate second transfer medium depending on the content of the client database (2) and supplied message and/or information extracted thereof, and the message is sent to the target client by means of a second message gateway configured for a transmission over the second transfer medium selected by the message broker (1), and

wherein messages include meta information containing a plurality of different fields, one of the fields being a secure read count and a maximum read count value limiting the maximum reads of the message,

wherein the message broker controls the message flow by inspecting the meta information of the messages.”

(emphasis added)

It was stated in the Specification that read count limitation is one of the fields of the instant message “[m]eta information that provides information about the message content.” *Specification, page 9, lines 31-32 and page 11, lines 30-32.* Thus, the read count limitation is not part of the message content but of meta information, which is included in the instant messages. Further, it was stated that “[m]essage brokers control message flow by inspecting unified instant message meta information instead” of the content. *Specification, page 15, lines 29-31.* This ensures a minimum broker load because the unified instant messages information contents is not processed by the message brokers. As the meta information is much more competent than the message itself, a maximum throughput with reduced data transfer can be guaranteed. By controlling the message flow by inspecting the meta information, the message brokers can thus enforce different policies, such as the read count limitation.

Claim 1 recites that the messages transmitted over the multimedia network includes “meta information containing a plurality of different fields, one of the fields being a secure read count and a maximum read count value limiting the maximum reads of the message, wherein the message broker controls the message flow by inspecting the meta information of the messages.”

In contrast, Vaudreuil and Thorne, individually or in combination, fail to teach or suggest providing messages transmitted over the multimedia network to include meta information containing a plurality of different fields, one of the fields being a secure read count and a maximum read count value limiting the maximum reads of the message, wherein the message

broker controls the message flow by inspecting the meta information of the messages.

Based on the foregoing discussion, it is maintained claim 1 should be allowable over the combination of Vaudreuil and Thorne. Furthermore, since independent claims 12 and 15 closely parallel, and include substantially similar limitations as, independent claim 1, claims 12 and 15 should also be allowable over the combination of Vaudreuil and Thorne. Since claims 2-11, 13-14, and 16-21 depend from claims 1, 12, and 15, respectively, and claims 2-11, 13-14, and 16-21 should also be allowable over the combination of Vaudreuil and Thorne.

Accordingly, it is submitted that the Examiner's rejection of claims 1-18, 20, and 21 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

§103 Rejection of Claim 19

In Section 31 of the Office Action, the Examiner has rejected claim 19 under 35 U.S.C. §103(a) as being unpatentable over Vaudreuil in view Thorne, and further in view of Yokomizo (U.S. Patent No. 6,163,796).

Based on the foregoing discussion regarding claim 15, and since claim 19 depends from claim 15, claim 19 should be allowable over the combination of Vaudreuil and Thorne.

Since it was stated in Section 31 that Yokomizo "teaches a message can have a lifetime attributed to it", it is maintained that Vaudreuil, Thorne, and Yokomizo, individually or in combination, fail to teach or suggest providing messages transmitted over the multimedia network to include meta information containing a plurality of different fields, one of the fields being a secure read count and a maximum read count value limiting the maximum reads of the message, wherein the message broker controls the message flow by inspecting the meta

information of the messages. Therefore, claim 19 should be allowable over the combination of Vaudreuil, Thorne, and Yokomizo.

Accordingly, it is submitted that the Examiner's rejection of claim 19 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

Conclusion

In view of the foregoing, entry of this amendment, and the allowance of this application with claims 1-21 are respectfully solicited.

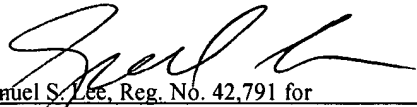
In regard to the claims amended herein and throughout the prosecution of this application, it is submitted that these claims, as originally presented, are patentably distinct over the prior art of record, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes that have been made to these claims were not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes were made simply for clarification and to round out the scope of protection to which Applicant is entitled.

In the event that additional cooperation in this case may be helpful to complete its prosecution, the Examiner is cordially invited to contact Applicant's representative at the telephone number written below.

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account 50-0320.

Respectfully submitted,

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